

**REAL ESTATE BOARD  
MINUTES  
June 23, 2005**

**PRESENT:** Richard Kollmansberger, Peter Sveum, Maria Watts, Lisabeth Weirich, Rebecca Dysland (via telephone)

**EXCUSED:** Lloyd Levin

**STAFF PRESENT:** Roxanne Peterson, Direct Licensing Coordinator; William Black, Legal Counsel and Division of Enforcement Staff for portions of meeting

**GUESTS:** Rick Staff, WRA

**CALL TO ORDER**

Richard Kollmansberger, Chair, called the meeting to order at 10:00 a.m. A quorum of five members was present.

Roxanne Peterson advised that this is Rebecca Dysland last meeting as her term will expire on July 1, 2005, and she has chosen not to seek reappointment. The Board thanked Ms. Dysland for her dedication and knowledge while serving on the Board and wished her well in all future endeavors.

**ADOPTION OF AGENDA**

**MOTION:** Rebecca Dysland moved, seconded by Peter Sveum, to adopt the agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES (04/14/05)**

**MOTION:** Maria Watts moved, seconded by Peter Sveum, to approve the minutes as written. Motion carried unanimously.

**PRESENTATION OF PROPOSED STIPULATIONS BY DIVISION OF  
ENFORCEMENT**

The Board received the following proposed Stipulations.

- i. Mark Iverson (03 REB 006)
- ii. Natasha Duvall (04 REB 226)
- iii. Boncler Inc., dba Boncler Realty and Chester A. Boncler, Jr. (04 REB 041)

## **ADMINISTRATIVE REPORT**

### **Board Roster**

No changes reported.

### **2005 and 2006 Board Meeting Dates**

The 2005 meeting dates were noted.

By consensus, the Board agreed to reschedule the June 22, 2006, meeting to June 15, 2006.

### **Summary Reports on Pending Court Cases, Disciplinary Cases, Administrative Rules and Legislation**

Noted.

### **Small Business Review Board Brochure**

Noted.

### **Executive Assistant Position**

Roxanne Peterson reported that Christopher Klein has accepted a position as Executive Assistant at the Department of Transportation. Larry Martin has been appointed as the Department's new Executive Assistant.

### **Building Update**

Roxanne Peterson reported that the building renovation is going well. The planned completion date is September 1, 2005.

## **REVIEW AND DISCUSSION OF PROPOSED CHAPTER 452 REWRITE**

The Board received copies of the following documents:

- The preliminary draft of Engrossed 2005 Bill, Version 3 (LRB-1387/3).
- William Black's June 6, 2005, memo outlining his analysis of the draft.
- Rick Staff's suggested revisions to the draft Engrossed 2005 Bill.

Mr. Black summarized his analysis and highlighted the major concepts of the Bill. He further explained that the Board and Department are charged with the responsibility of looking at this Bill from the consumer protection aspect when proposing revisions to the Bill. Rick Staff advised that the WRA is 100% on board with the Department's direction and analysis of needed changes.

**MOTION:** Peter Sveum moved, seconded by Maria Watts, that after review of the materials received, the Board agrees with the redraft and Mr. Black's analysis and recommend to the Secretary that the Department proceed forward with working on the Bill for continuity and clarity. The Board reaffirms its 4/14/05 motion that the Board is in favor of the concepts as discussed. Motion carried unanimously.

The Board requested that this issue be placed on the agenda when it receives a copy of the Bill draft.

### **PRACTICE QUESTIONS**

William Black reported that there were no practice questions requiring discussion and review of the Board.

### **HEARING ON PETITION FOR SUMMARY SUSPENSION THERESA A. WINGER-PROSSER**

A hearing on Petition for Summary Suspension in the matter of Theresa A. Winger-Prosser was held at 10:30 a.m. Ms. Winger-Prosser did not appear. John Schweitzer, Prosecuting Attorney, and Candace Bloedow, Investigator, Division of Enforcement, appeared in support of the Petition.

The Board will deliberate on this matter in Closed Session.

### **CLOSED SESSION**

**MOTION:** Rebecca Dysland moved, seconded by Lisabeth Weirich, to convene to Closed Session to deliberate on cases following hearing (s. 19.85(1) (a), Stats.; to consider licensure or discipline (s. 19.85(1) (b), Stats.; to consider individual histories or disciplinary data (s. 19.85(1) (f), Stats.; and, to confer with legal counsel (s. 19.85(1) (g), Stats. to consider case closings, monitoring reports, deliberation on cases proposed to be closed by administrative warning. Roll Call Vote: Peter Sveum-yes; Maria Watts-yes; Lisabeth Weirich-yes; Rebecca Dysland-yes; Richard Kollmansberger-yes. Motion carried unanimously.

Open session recessed at 10:45 a.m.

### **RECONVENE TO OPEN SESSION**

**MOTION:** Peter Sveum moved, seconded by Maria Watts, to reconvene into Open Session at 11:05 a.m. Motion carried unanimously.

**VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION**

**CASE CLOSINGS**

**MOTION:** Maria Watts moved, seconded by Rebecca Dysland, to close the following cases presented by the Division of Enforcement. Motion carried unanimously.

02 REB 089 for PD3	03 REB 073 for no violation
02 REB 122 for PD3	03 REB 091 for no violation
02 REB 137 for insufficient evidence	03 REB 111 PD, compliance gained
02 REB 202 for insufficient evidence	03 REB 208 for no violation
02 REB 241 for insufficient evidence	03 REB 244 for PD3
03 REB 006 for insufficient evidence	04 REB 051 for no violation
03 REB 023 for no violation	04 REB 190 for no violation
03 REB 060 for no violation	

**STIPULATIONS**

**MARC IVERSON (03 REB 006)**

**MOTION:** Peter Sveum moved, seconded by Maria Watts, to adopt the Stipulation, Findings of Fact, Conclusions of Law and Order in the matter concerning **Marc Iverson (03 REB 006)**. Motion carried unanimously.

**NATASHA DUVALL (04 REB 226)**

**MOTION:** Peter Sveum moved, seconded by Maria Watts, to adopt the Stipulation, Findings of Fact, Conclusions of Law and Order in the matter concerning **Natasha Duvall (04 REB 226)**. Motion carried unanimously.

**BONCLER INC., DBA BONCLER REALTY AND  
CHESTER A. BONCLER, JR (04 REB 041)**

**MOTION:** Peter Sveum moved, seconded by Maria Watts, to adopt the Stipulation, Findings of Fact, Conclusions of Law and Order in the matter concerning **Boncler Inc., dba Boncler Realty and Chester A. Boncler, Jr. (04 REB 041)**. Motion carried unanimously.

**PROPOSED FINAL DECISION AND ORDER - DALE W. MUSTAS**

**MOTION:** Lisabeth Weirich moved, seconded by Peter Sveum, to adopt the Final Decision and Order in the matter of disciplinary proceedings against **Dale W. Mustas (LS0410071REB)**. Motion carried unanimously.

**PETITION FOR SUMMARY SUSPENSION - THERESA A. WINGER-PROSSER**

**MOTION:** Peter Sveum moved, seconded by Maria Watts, to approve the Petition for Summary Suspension in the matter of disciplinary proceedings against **Theresa A. Winger-Prosser (04 REB 295 and 05 REB 042)**. Motion carried unanimously.

**MONITORING REPORT**

None.

**ADMINISTRATIVE WARNINGS**

None.

**PETITIONS FOR REHEARING**

None.

**ADJOURNMENT**

**MOTION:** Rebecca Dysland moved, seconded by Maria Watts, to adjourn the meeting at 11:10 a.m. Motion carried unanimously.